IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 10TH DECEMBER 2007 / 19TH AGRAHAYANA 1929

Crl.Rev.Pet.No. 4410 of 2007()

CRA.164/2006 of ADDL.SESSIONS COURT, THODUPUZHA
CC.114/2006 of CHIEF JUDICIAL MAGISTRATE COURT, THODUPUZHA

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REVN. PETITIONER: PETITIONER/APPELLANT/ACCUSED

K.K.BIJU, S/O. K.K.KUMARAN,
KUDILAMATTATHIL HOUSE, ANAVILASOM P.O.,
KUMILY VILLAGE, IDUKKI DISTRICT.

BY ADV. SRI.RAJESH NAIR

RESPONDENTS: RESPONDENTS/COMPLAINANT AND STATE

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1. NOBLE FINANCE COMPANY,
THODUPUZHA, REPRESENTED BY ITS PARTNER
P.R.SUDHEER KUMAR, PULICKAL VEEDU, KARIKODE
VILLAGE.

2. STATE OF KERALA, REPRESENTED BY
ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR
SRI.M.GEORGE THOMAS

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 10/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No. 4410 of 2007

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Dated: 10-12-2007

ORDER

The accused in C.C. No.114 of 2006 on th**e file** of the Chief Judl. Magistrate, Thoupuzha for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 13034 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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